

<p>Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address</p> <p>William C. Beall, Bar No. 97100 Beall & Burkhardt, APC 1114 State Street, Suite 200 Santa Barbara, CA 93101 Phone (805) 966-6774; Fax (805) 963-5988 Will@BeallandBurkhardt.com</p> <p><input checked="" type="checkbox"/> <i>Attorney for Movant</i> <input type="checkbox"/> <i>Movant appearing without an attorney</i></p>	<p>FOR COURT USE ONLY</p> <div data-bbox="1047 262 1432 535"><p>FILED & ENTERED</p><p>JAN 03 2022</p><p>CLERK U.S. BANKRUPTCY COURT Central District of California BY fortier DEPUTY CLERK</p></div>
<p>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA -LOS ANGELES DIVISION</p>	
<p>In re:</p> <p>Debtor(s).</p>	<p>CASE NO.: 2:21-bk-16454-BR CHAPTER: 11</p> <p>ORDER GRANTING MOTION FOR RELIEF FROM THE AUTOMATIC STAY UNDER 11 U.S.C. § 362 (REAL PROPERTY)</p> <p>DATE: December 21, 2021 TIME: 10:00 a.m. COURTROOM: 1668 (1645) PLACE: 255 E. Temple Street, Los Angeles, CA 90012</p>
<p>Movant: Grimm Investments, LLC</p>	

1. The Motion was: ☒ Opposed ☐ Unopposed ☐ Settled by stipulation

2. The Motion affects the following real property (Property):

Street address: 13511 W. Mulholland Drive and see attached legal descriptions
Unit/suite number: _____
City, state, zip code: Beverly Hills, CA

Legal description or document recording number (including county of recording):

☒ See attached page.

3. The Motion is granted under:
- ☒ 11 U.S.C. § 362(d)(1)
 - ☒ 11 U.S.C. § 362(d)(2)
 - ☒ 11 U.S.C. § 362(d)(3)
 - ☐ 11 U.S.C. § 362(d)(4). The filing of the bankruptcy petition was part of a scheme to hinder, delay, or defraud creditors that involved:
 - ☐ The transfer of all or part ownership of, or other interest in, the Property without the consent of the secured creditor or court approval; and/or
 - ☐ Multiple bankruptcy cases affecting the Property.
 - ☐ The court ☐ makes ☐ does not make ☐ cannot make a finding that the Debtor was involved in this scheme.
 - ☐ If recorded in compliance with applicable state laws governing notices of interests or liens in real property, this order shall be binding in any other case under this title purporting to affect the Property filed not later than 2 years after the date of the entry of this order by the court, except that a debtor in a subsequent case under this title may move for relief from this order based upon changed circumstances or for good cause shown, after notice and a hearing. Any federal, state or local government unit that accepts notices of interests or liens in real property shall accept any certified copy of this order for indexing and recording.
4. ☒ As to Movant, its successors, transferees and assigns, the stay of 11 U.S.C. § 362(a) is:
- ☒ Terminated as to the Debtor and the Debtor's bankruptcy estate.
 - ☐ Modified or conditioned as set forth in Exhibit _____ to this order.
 - ☐ Annulled retroactively to the bankruptcy petition date. Any postpetition acts taken by Movant to enforce its remedies regarding the Property do not constitute a violation of the stay.
5. ☒ Movant may enforce its remedies to foreclose upon and obtain possession of the Property in accordance with applicable nonbankruptcy law, but may not pursue any deficiency claim against the Debtor or property of the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.
6. ☐ Movant must not conduct a foreclosure sale of the Property before (date) _____.
7. ☐ The stay shall remain in effect subject to the terms and conditions set forth in the Adequate Protection Agreement contained within this order.
8. ☐ In chapter 13 cases, the trustee must not make any further payments on account of Movant's secured claim after entry of this order. The secured portion of Movant's claim is deemed withdrawn upon entry of this order without prejudice to Movant's right to file an amended unsecured claim for any deficiency. Absent a stipulation or order to the contrary, Movant must return to the trustee any payments received from the trustee on account of Movant's secured claim after entry of this order.
9. ☐ The co-debtor stay of 11 U.S.C. § 1201(a) or § 1301(a) is terminated, modified or annulled as to the co-debtor, as to the same terms and conditions as to the Debtor.
10. ☒ The 14-day stay as provided in FRBP 4001(a)(3) is waived.
11. This order is binding and effective despite any conversion of this bankruptcy case to a case under any other chapter of the Bankruptcy Code.
12. Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement.

13. Upon entry of this order, for purposes of Cal. Civ. Code § 2923.5, the Debtor is a borrower as defined in Cal. Civ. Code § 2920.5(c)(2)(C).
14. ☐ A designated law enforcement officer may evict the Debtor and any other occupant from the Property regardless of any future bankruptcy case concerning the Property for a period of 180 days from the hearing of this Motion
- (a) ☐ without further notice.
- (b) ☐ upon recording of a copy of this order or giving appropriate notice of its entry in compliance with applicable nonbankruptcy law.
15. ☐ This order is binding and effective in any bankruptcy case commenced by or against the Debtor for a period of 180 days, so that no further automatic stay shall arise in that case as to the Property.
16. ☐ This order is binding and effective in any bankruptcy case commenced by or against any debtor who claims any interest in the Property for a period of 180 days from the hearing of this Motion:
- (a) ☐ without further notice.
- (b) ☐ upon recording of a copy of this order or giving appropriate notice of its entry in compliance with applicable nonbankruptcy law.
17. ☐ This order is binding and effective in any future bankruptcy case, no matter who the debtor may be
- (a) ☐ without further notice.
- (b) ☐ upon recording of a copy of this order or giving appropriate notice of its entry in compliance with applicable nonbankruptcy law.
18. ☒ Other (*specify*): This order is binding and effective in any bankruptcy case commenced by or against 8th Street MB, LLC for a period of 180 days, so that no further automatic stay shall arise in that case as to the Property.
19. See Concurrently Filed Findings of Fact and Conclusions of Law.

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Date: January 3, 2022



Barry Russell
United States Bankruptcy Judge

Order No.: 00519931-996-LAT

EXHIBIT A

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Parcel 1: APN 2386-002-005 / 13511 Mulholland Drive, Los Angeles, CA

Lot 22, Tract No. 5571, in the City of Los Angeles, County Of Los Angeles, State Of California, as per Map recorded in Book 107, Pages 72 to 80, inclusive of Maps, in the Office of the County Recorder of said County.

Parcel 2: APN 2386-003-004 / Vacant Land, Los Angeles, CA

That portion of Lot 23 of Tract No. 5571, in the City of Los Angeles, County of Los Angeles, State of California as per Map recorded in Book 107 Pages 72 to 80 inclusive of Maps, in the Office of the County Recorder of said County, lying Southeasterly of the following described line:

Beginning at a point in the Westerly line of said lot distant thereon North 25 feet from the Southerly extremity of that certain course therein having a length of 250 feet, thence Northeasterly along a direct line, a distance of 196.61 feet, more or less to a point in the Easterly line of said lot distant Northerly thereon 81.50 feet from the Southerly terminus of that certain curve therein concave Northeasterly having a radius of 170 feet and a length of 243.55 feet.

Parcel 3:

An easement for ingress and egress and driveway purposes, for use in common with others, over that portion of Lot 23, Tract 5571, in the City of Los Angeles, County of Los Angeles, State of California, as per Map recorded in Book 107, Pages 72 to 80 inclusive of Maps, in the Office of the County Recorder of said County, described as follows:

Beginning at a point in the Westerly line of said lot, distant thereon North 25 feet from the Southerly extremity of that certain course therein having a length of 250 feet, thence Northeasterly a distance of 25 feet along a direct line which if prolonged would pass through a Point M the Easterly line of said lot, distant Northerly thereon 81.50 feet from the Southerly terminus of that certain curve therein concave Northeasterly having a radius of 170 feet and a length of 243.55 feet, thence Westerly along a direct line to a point in the said Westerly line, distant North thereon 15 feet from the said point of beginning thence Southerly along the said Westerly line, a distance of 15 feet to the said point of beginning, together with all of seller's rights and appurtenances to the real property, including, without limitation, any right, title, and interest of seller in and to any and all easements, streets, roads, alleys, or rights-of-way.

Parcel 4: APN 2386-003-003 / Vacant Land, Los Angeles

That portion of Lot 23 of Tract 5571, in the City of Los Angeles, County of Los Angeles, State of California, as per Map recorded in Book 107 Pages 72 to 80 inclusive of Maps, in the Office of the County Recorder of said County, lying Southeasterly of the following described line:

Beginning at the Southerly extremity of that certain curve in the Westerly line of said Lot 23, concave Easterly and designated as having a radius of 300.00 feet and an arc length of 74.70 feet, thence North 72 degrees 10' 00"

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East 78.66 feet, more or less, through a point in the Easterly line of said Lot 23, said point being Southeasterly an arc distance of 74.27 feet from the Northerly extremity of that certain curve in said Easterly line of said Lot 23, designated as having a radius of 140.00 feet, an arc length of 175.12 feet, a radial line to said point bears South 60 degrees 11' 14" West.

Except that portion that portion lying Southeasterly of the following described line:

Beginning at a point in the Westerly line of said lot distant thereon North 25 feet from the Southerly extremity of that certain course therein having a length of 250 feet; thence Northeasterly along a direct line a distance of 198.51 feet more or less to a point in the Easterly line of said lot, distant Northerly thereon 81.50 feet from the Southerly terminus of that certain curve therein concave Northeasterly having a radius of 170 feet and a length of 243.55 feet.

Parcel 5: APN 2386-011-002 / Vacant Land, Los Angeles

Lot 14 of Tract No. 5571, in the City of Los Angeles, County of Los Angeles, State of California, as per Map recorded in Book 107 Pages 72 to 80 inclusive of Maps, in the Office of the County Recorder of said County.

Except therefrom that portion of said land described as follows:

Beginning at a point in the Northwestern line of said Lot, distant South 27° 26' 36" West, along said line, 161.81 feet from the most Northerly corner of said lot, thence South 73° 00' 00" East 100.00 feet, thence South 14° 00' 00" East 60.00 feet, thence South 86° 04' 25" West 161.81 feet, thence North 72° 00' 00" West to said Northwestern line, thence along said Northwestern line, North 27° 26' 36" East to the point of beginning

Also except therefrom any portion of said land inclusive within the lines of Tract No. 25844, as shown on Map recorded in Book 691 Pages 71 to 74 inclusive of Maps, in the Office of the County Recorder of said County.

Parcel 6: APN 2386-010-008 & 2386-010-009 / Vacant Land, Los Angeles

That portion of Lot 13 of Tract 5571, in the City of Los Angeles, County of Los Angeles, State of California, as per Map recorded in Book 107 Pages 72 to 80 inclusive of Maps, in the Office of the County Recorder of said County, lying Southerly of the following described line:

Beginning at the Northerly terminus of that certain curve in the Westerly line of said map, as being concave Southwesterly, having a radius of 50.00 feet and an arc length of 41.07 feet, thence Southeasterly along said curve through a central angle of 22° 55' 06" an arc distance of 20.00 feet to the true point of beginning, thence North 84° 35' 29" East 227.07 feet to a point on that certain curve in the Easterly line of said lot, shown on said map as being concave Easterly, having a radius of 160.00 feet and an arc length of 170.81 feet, a radial of said last mentioned curve to said point bears South 68° 21' 42" West.

Parcel 7: APN 2386-006-002 / Vacant Land, Los Angeles

Lot 16 of Tract 5571, in the City of Los Angeles, County of Los Angeles, State of California, as per Map recorded in Book 107 Pages 72 to 80 inclusive of Maps, in the Office of the County Recorder of said County

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Except that portion of said Lot 16 included within the lines of Tract No. 24980, as shown on Map recorded in Book 673 Page 1 of Maps, in the Office of the County Recorder of said County.

Also except that portion of Lot 16, included within the lines of Tract No. 25844, as shown on Map recorded in Book 691 Pages 71 to 74 inclusive of Maps, in the Office of the County Recorder of said County.

Except all crude oil, petroleum, gas, brea, asphaltum and all kindred substances and other minerals situated 500 feet or more below the surface of said land without right of surface entry to said land, by Edward Stone and Anne Stone, husband and wife and Leo Stone and Gloria Stone, husband and wife, by Deed recorded February 11, 1972 as Instrument No. 117 and as provided in Deed recorded March 30, 1972 as Instrument No. 2770 all of Official Records.

Parcel 8: APN 2386-006-001 / Vacant Land, Los Angeles

Lot 17 of Tract 5571, in the City of Los Angeles, County of Los Angeles, State of California, as per Map recorded in Book 107 Pages 72 to 80 inclusive of Maps, in the Office of the County Recorder of said County.

Except all crude oil, petroleum, gas, brea, asphaltum and all kindred substances and other minerals situated 500 feet or more below the surface of said land without right of surface entry to said land, by Edward Stone and Anne Stone, husband and wife and Leo Stone and Gloria Stone, husband and wife, by Deed recorded February 11, 1972 as Instrument No. 117 and as provided in Deed recorded March 30, 1972 as Instrument No. 2770 Official Records.

APN: 2386-002-005, 2386-003-004, 2386-003-003, 2386-011-002, 2386-010-008, 2386-010-009, 2386-006-002, 2386-006-001